

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In Re:

David Scott Flynn

Debtor(s)

Chapter: 13
Case Number: 5-16-02492

CERTIFICATE OF MAILING

The undersigned employee in the office of:

Tullio DeLuca, Esquire

hereby certifies that a copy of the attached Notice & Motion to Suspend
Temporarily Trustee Payments was mailed today to all parties named on the
mailing list attached hereto by regular first class mail.

DATED: February 16, 2017

SIGNED: Lena Henley

TITLE: SECRETARY

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

I IN RE: : CHAPTER 13
DAVID SCOTT FLYNN :
Debtor(s) : CASE NO. 5-16-02492

DAVID SCOTT FLYNN :
MOVANT :
VS. :
CHARLES J. DEHART, III, ESQ. :
RESPONDENT :

NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST

NOTICE OF OPPORTUNITY TO OBJECT AND HEARING: Pursuant to Local Rule 2002-1(a), the Court will consider this motion, objection, or other matter without further notice or hearing unless a party in interest files an objection/response on or before **March 9, 2017**. If you object to the relief requested, you must file your objection/response with the Clerk of Court and serve a copy on the movant and movant's attorney, if one is designated.

If you file and serve an objection/response within the time permitted, the Court may schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the Court will deem the motion unopposed and proceed to consider the motion without further notice or hearing, and may grant the relief requested.

DATE: February 16, 2017

Clerk, U.S. Bankruptcy Court
197 South Main Street
Wilkes-Barre, PA 18701

Tullio DeLuca, Esquire
PA ID# 59887
Attorney for Debtors/Movants
381 N. 9th Street
Scranton, PA 18504

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MOTION TO SUSPEND TEMPORARILY TRUSTEE PAYMENTS

AND NOW COMES, the Debtor, David Flynn, by and through his attorney, Tullio DeLuca, Esquire, and respectfully represents:

1. That the Debtor filed a Chapter 13 Petition on June 13, 2016.
2. That Debtor's Chapter 13 Plan provides for monthly payments of \$1,068.00 to the Chapter 13 Trustee to pay attorney and Trustee fees, mortgage and unsecured creditors.
3. Debtor suffered a stroke and is currently hospitalized. Therefore, Debtor has experienced a temporary decrease in monthly income and increase in monthly expenses.
4. Debtor is unable to make the Trustee payments until her immediate problem stabilizes and regains income to satisfy the Chapter 13 Plan.
5. In light of the above Debtor requests a Temporary Suspension of her Trustee payments for a period of three (3) months or earlier starting in the month of February 2017. If Debtor immediate problem stabilizes, Debtor will commence Trustee payments sooner.

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ORDER

After notice and service to creditors and parties in interest under FRBP 9013 and upon consideration of the Debtors' Motion to Suspend Temporarily Trustee Payments, it is hereby **ORDERED, ADJUDGED AND DECREED** by this Honorable Court that the Debtors' Motion to Suspend Temporarily Trustee Payments is granted and the Debtors are allowed to suspend payments to the Chapter 13 Trustee for a period of three (3) months for February 2017 through April 2017, due to increase in expenses and it is further ordered that if the Debtors situation improves prior to the three (3) month period, Debtors are ordered to commence making monthly payments to the Chapter 13 Trustee.

WHEREFORE, the Debtors respectfully request that this Court enter an Order allowing for a suspension of Trustees monthly payment for a period of at least three (3) months and directing the Debtors to commence making monthly payments sooner if Debtors' immediate problem stabilizes.

Respectfully submitted,

Dated: February 15, 2017

/s/Tullio DeLuca
Tullio DeLuca, Esquire
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